

**In the Circuit Court of the State of Oregon
for Multnomah County**

Verified Correct Copy of Original 10/25/2019

STATE OF OREGON,

Plaintiff,

v.

AARON LEWIS CRISWELL
DOB: 10/22/2003

AND

RICHARD JEROME RAND
DOB: 03/11/2004

Defendant(s).

Court Nbr 19-CR-70125 DA 2412209-1
19-CR-70126 2412209-2
Crime Report PP 19-354602

AFFIDAVIT OF PROBABLE CAUSE
TO SUPPORT CONTINUED DETENTION
OF DEFENDANT

18CR70126
AFFPC
Affidavit - Probable Cause
11879243



FILED
OCT 25 2019
Circuit Courts
Multnomah County, Oregon

I, Shawn M. Overstreet, swear that I am a Deputy District Attorney for Multnomah County and that I have personally discussed the facts of this case with assigned detectives and I have personally reviewed the probable cause affidavits which have been filed in this case by assigned detectives; that the crimes charged against defendant(s) occurred in Multnomah County and that the probable cause for detention following the arrest of defendant(s) is as follows:

That on October 14, 2019 Portland Police Officers were called to conduct a welfare check on a male who was laying on in the street near [REDACTED] N Mohawk Ave. Officers and medical personnel arrived and determined the male, later identified as Ricky Malone Jr, was deceased and portion of his heart was lying next to his body. A significant amount of blood was also located around Mr. Malone's body as well as on the bag of bottles and cans that he had been collecting. Medical Examiners determined that Mr. Malone had been killed by a single shotgun blast to his left chest area and that the portion of his heart that was located outside of his body had been severed by the bird shot pellets from the shotgun round. The wadding of the shotgun shell was also located inside Mr. Malone's chest cavity indicating that he had been shot at close range. Evidence collected by officers indicated that Mr. Malone was in the area to collect bottles and cans from recycle bins that were left by the street for pickup. Mr. Malone's family also confirmed that Mr. Malone enjoyed collecting bottles and cans and would do so routinely. Mr. Malone had plans to meet a family member at a bottle drop in the morning. A canvas of the area for video revealed numerous recordings of three males in the area of the homicide. The same three males were then connected to a home invasion at [REDACTED] N Midway that had been called in minutes before the shooting at around 0354. The tenant of the home invasion stated that the three masked males, one with a clown style mask with long green hair and one with a shotgun, enter his home and he yelled at the three males before they all ran off. Throughout the morning of the investigation numerous calls of hit and runs came in and all indicated the same vehicle was involved. One of the hit and run victims was able to get a license plate number and that came back to a lite blue Toyota Avalon that belonged to Mr. Malone. Detectives eventually located the vehicle near [REDACTED] N Hodge Ave, about 2 miles from the shooting scene. The vehicle was badly damaged in a manner that was consistent with the hit and runs reported. The vehicle also had a significant amount of blood spatter on the driver's side of the car. A large pile of trash and personal effects were located outside of the car and included documents in the name of Mr. Malone.

A search of the vehicle revealed a receipt for Taco Bell at around 0730 on October 14, 2019, approximately three and a half hours after the homicide. Detectives recovered video from the time of the receipt and could see the victim's vehicle in the drive through. The driver was clearly visible and was identified as [REDACTED]. [REDACTED] was wearing a distinct shirt in the video that was later recovered from his home pursuant to a search warrant. The passenger in the car could clearly be seen wearing a gray Champion brand T-Shirt.

On October 24, 2019 Portland Police executed a search warrant at [REDACTED] family home located at [REDACTED]. During the execution of the warrant officers located documents and prescription bottles in the name of Ricky Malone. Officers arrested [REDACTED] and Aaron Criswell, Male, White, DOB 10/22/2003 and Richard Rand AKA RJ, Male, White, DOB 03/11/2004. During a subsequent interview of all three [REDACTED] stated that he, Rand, and Criswell all met at [REDACTED] house on [REDACTED] on October 14, 2019 and they left the home planning to commit a home invasion. [REDACTED] stated that Criswell had a shotgun and Rand wore a clown style mask with long green hair. [REDACTED] stated that had entered a home at [REDACTED] N Midway and were confronted by the tenant who scared them off. [REDACTED] stated the three of them then walked to N Mohawk and ran into Mr. Malone. [REDACTED] stated he knew Mr. Malone from the neighborhood. [REDACTED]